



PATENT  
ATTORNEY DOCKET NO. 057309-5019-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jim E. CUTLER, *et al.*

Application No.: 10/073,868

Filed: February 14, 2002

For: PEPTIDES WHICH MIMIC CANDIDA CARBOHYDRATE  
EPITOPES AND THEIR USE IN A VACCINE

**BOX PATENT APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231

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Sir:

**REQUEST FOR CORRECTED FILING RECEIPT**

Attached is a copy of the Official Filing Receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.

There are omissions with respect to the following data:

- ☐ incorrectly entered  
☒ omitted

**Error In**

**Correct Data (Bolded)**

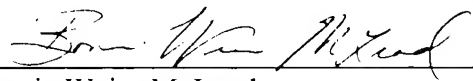
☒ Domestic priority data

THIS APPLICATION IS A CON OF 09/334,921 06/17/1999  
**WHICH CLAIMS BENEFIT OF 09/076,883 05/13/1998**  
WHICH CLAIMS BENEFIT OF 60/046,299 05/13/1997  
**WHICH CLAIMS BENEFIT OF PCT/US97/21661 11/25/1997**  
WHICH CLAIMS BENEFIT OF 60/045,030 04/28/1997  
**WHICH CLAIMS BENEFIT OF 08/756,014 11/25/1996**  
**WHICH CLAIMS BENEFIT OF 08/483,558 06/07/1995**  
(now USPN 5,578,309)  
**WHICH CLAIMS BENEFIT OF 08/247,972 05/23/1994**

Dated: March 14, 2003

**MORGAN, LEWIS & BOCKIUS LLP**  
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Respectfully submitted,  
**MORGAN, LEWIS & BOCKIUS LLP**

  
Bonnie Weiss McLeod  
Reg. No. 43,255



## UNITED STATES PATENT AND TRADEMARK OFFICE

11042  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20541  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO. TITLE
10/073,868	02/14/2002	Jim E. Cutler	47714-5019-03

CONFIRMATION NO. 6772

009629  
MORGAN LEWIS & BOCKIUS LLP  
1111 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004

\*OC000000009665478\*

Date Mailed: 03/19/2003

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:


- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☒ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification. SERIAL NO(s) 09/076,883 05/13/98; PCT/US97/21661 11/25/97; 08/756,014 11/25/96; 08/483,558 06/07/95 AND 08/247,972 05/23/94
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order:  
**Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

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☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.

☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.



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## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/073,868	02/14/2002	1645	781	47714-5019-03	25	33	10

CONFIRMATION NO. 6772

009629

MORGAN LEWIS & BOCKIUS LLP  
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WASHINGTON, DC 20004

UPDATED FILING RECEIPT



\*OC000000008272486\*

Date Mailed: 06/13/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

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## Assignment For Published Patent Application

The Research and Development Institute Inc.;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/334,921 06/17/1999 PAT 6,391,587  
WHICH CLAIMS BENEFIT OF 60/046,299 05/13/1997  
WHICH CLAIMS BENEFIT OF 60/045,030 04/28/1997

## Foreign Applications

PCT/US97/21661 11/25/1997

If Required, Foreign Filing License Granted 04/12/2002

Projected Publication Date: 09/19/2002

Non-Publication Request: No

Early Publication Request: No

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**\*\* SMALL ENTITY \*\*****Title**

Peptides which mimic candida carbohydrate epitopes and their use in a vaccine

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

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**NOT GRANTED**

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